Reducted

#### FORM APPLICATION FOR FINANCIAL ASSISTANCE

# TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY

## PROJECT APPLICATION

11/19

DATE: July 5, 2021	The state of the s	
APPLICATION OF:	Uniware Houseware Corp	
	Name of Owner and/or U	Jser of Proposed Project
ADDRESS:	120 Wilshire Blvd.	
	Edgewood, New York	11717
CONTACT:	Lily Hsu	
PHONE NUMBER:		
EMAIL ADDRESS:		
FAX NUMBER:		
Type of Application:	☐ Tax-Exempt Bond	☐ Taxable Bond
	Straight Lease	☐ Refunding Bond
	☐ Special Straigh	t Lease

## Part I: Owner & User Data

Owner Data:	1 Nowport Po	alty 11C
	t for assistance): 1 Newport Re	ally, LLC
Ed	lgewood, NY 11717	ggyryggiddig er degalachilligus statu kilokasidakul
Federal Emple	oyer ID #:	Website: N/A
Owner Officer Ce	ertifying Application: Lily Hsu a/	k/a Qing Dong
	er: President	
	2	E-ma.
B. Business Type:		
Sole Proprieto	orship   Partnership	Privately Held 😡
Public Corpor		
State of Incorp	poration/Formation: New Yorl	(LLC)
C. Nature of Busines	38:	or of"; or "real estate holding company"
· · ·	e Holding Company	, or 10m outside the property
D. Owner Counsel:		11 P. 12 C.
Firm Name:	Presberg Law, PC	
Address:	100 Corporate Plaza- Suite B102	
	Islandia, NY 11749	
Individual Att	torney: Andrew Presberg, Esq.	
Phone Numbe		E-man.
E. Principal Stockho	olders, Members or Partners, if any,	of the Owner (5% or more equity):

Name

Percent Owned

	Qing Dong	100%
F.	member, officer, director or other associated with:  i. ever filed for bankrupt	y or affiliate of the Owner, or any stockholder, partner, entity with which any of these individuals is or has been cy, been adjudicated bankrupt or placed in receivership or resently is the subject of any bankruptcy or similar ase explain)
		elony, or misdemeanor, or criminal offense (other than a )? (if yes, please explain)
G.	interest in the Owner, list all other such persons having more than a 5	"E", above) or a group of them, owns more than 50% organizations which are related to the Owner by virtue of 0% interest in such organizations.  Orp., Housewares Factory Outlet Corp.,
	Uniware Management	Corp.
H.	Is the Owner related to any other or so, indicate name of related organi	rganization by reason of more than a 50% ownership? If zation and relationship:
I.	List parent corporation, sister corporation	orations and subsidiaries:
J.	prior industrial development finar	rporation or person) been involved in or benefited by any noing in the municipality in which this project is located, issuer? (Municipality herein means city, town or village,

	No	Later and the state of	11 - 11 - 11 - 11 - 11 - 11 - 11 - 11
K.	List major bank references of	the Owner:	And the second s
	Signature Bank		
	Flushing Bank	A A CONTRACTOR OF THE PARTY OF	100 Miles Marie - Angli (100 Miles Marie - Angli (100 Miles Miles - Angli (100
ie us	applicants for assistance or where applicants are applicants for assistance or where applicants are applicant.		relationship will exist between the or
A.			Jniware Houseware Co
	Address: 120 Wilsh		11 April 2
	Edgewood	d, NY 11717	
	Federal Employer ID #		Website: uniwarehouseware.c
	NAICS Code:		
	MAICS COUC.		
			k/a Qing Dong
	User Officer Certifying Appli	cation: Lily Hsu a/	k/a Qing Dong
	User Officer Certifying Appli Title of Officer: Presid	cation: Lily Hsu a/ ent	k/a Qing Dong  E-mail.
B.	User Officer Certifying Appli Title of Officer: Presid Phone Numbe.	cation: Lily Hsu a/ ent	
В.	User Officer Certifying Appli Title of Officer: Presid	cation: Lily Hsu a/ ent 	E-mail
В.	User Officer Certifying Appli Title of Officer: Presid Phone Number. Business Type:	ent Partnership	E-mail
В.	User Officer Certifying Appli Title of Officer: Presid Phone Number Business Type: Sole Proprietorship	ent Partnership	E-mailPrivately Held
	User Officer Certifying Applia  Title of Officer: Presid  Phone Numbe.  Business Type:  Sole Proprietorship  Public Corporation  State of Incorporation/For	Partnership  Listed on	E-mailPrivately Held

i. If yes, the remainder of the questions in this Part I, Section 2 (with the exception of "F" below) need not be answered if answered for the Owner.

ii. If no, please	e complete all questions below	,
E. User's Counsel:		
Firm Name:		
Address:		
***************************************	DIA TOTAL	-
Individual Attorney	y:	
Phone Number:		E-mail:
F. Principal Stockholders	or Partners, if any (5% or mor	e equity):
Name	e	Percent Owned
Qing Dong	A second	00%
family members, or an of these individuals is of i. ever filed for otherwise	y stockholder, partner, officer or has been associated with: or bankruptcy, been adjudicate	er, or any of these individuals immediate, director or other entity with which any ed bankrupt or placed in receivership or ubject of any bankruptcy or similar
	convicted of a felony or crimi	inal offense (other than a motor vehicle

I.	Is the User related to any other organization by reason of more than a 50% ownership? If so indicate name of related organization and relationship:			
	Yes- Uniware Management Co., Inc			
	payroll management company			
J.	List parent corporation, sister corporations and subsidiaries:			
	None			
K.	Has the User (or any related corporation or person) been involved in or benefited by any prior industrial development financing in the municipality in which this project is located whether by this agency or another issuer? (Municipality herein means city, town or village or if the project is not in an incorporated city, town or village, the unincorporated areas of the county in which it is located.) If so, explain in full:			
	No			
L.	List major bank references of the User: Signature Bank			
	Flushing Bank			
	Part II - Operation at Current Location  **(if the Owner and the User are unrelated entities, answer separately for each)**			
Cur	rrent Location Address: 120 Wilshire Blvd., Edgewood, NY 11717			
	med or Leased: leased			
De: etc.	scribe your present location (acreage, square footage, number buildings, number of floors,  1): 1 Bldg; 75,000 sq. ft rented			
	1 Bldg; 280 Broadhollow Road, Farmingdale, NY (related entity)			
	pe of operation (manufacturing, wholesale, distribution, retail, etc.) and products and/or vices:  Wholesale distribution of housewares, home goods, small appliances and kitchenware.			

1.

2.

3.

4.

5.	Are other facilities or related companies of the Applicant located within the State?  Yes ☒ No □
	A. If yes, list the Address: 120 Wilshire Blvd., Edgewood, NY and 280 Broadhollow Road, Farmingdale, NY
6.	If yes to above ("5"), will the completion of the project result in the removal of such facility or facilities from one area of the state to another OR in the abandonment of such facility or facilities located within the State? Yes No \(\sigma\)
	A. If no, explain how current facilities will be utilized: Farmingdale facility is retail outlet
	and e-commerce fulfillment which will remain in place.
	B. If yes, please indicate whether the project is reasonably necessary for the Applicant to maintain its competitive position in its industry or remain in the State and explain in full:
	Existing Town of Islip warehouse is leased and expiring with no
	room for expansion. Company needs to secure facility to remain competitive.
7.	Has the Applicant actively considered sites in another state? Yes No   A. If yes, please list states considered and explain: Florida facility exists in Miami Gardens and company considering relocation and consolidation.
8.	Is the requested financial assistance reasonably necessary to prevent the Applicant from moving out of New York State?  Yes No D  A. Please explain: Company needs room for expansion. Currently has facility in Florida and would consider
	expansion of Florida facility if no benefits available here to encourage retention of company and employment.
9.	Number of full-time equivalent employees at current location and average salary:  27 f/t employees \$37,530.00
	<u>Part III – Project Data</u>
1.	Project Type:
	A. What type of transaction are you seeking?: (Check one)  Straight Lease  Taxable Bonds □ Tax-Exempt Bonds □  Equipment Lease Only □
	B. Type of benefit(s) the Applicant is seeking: (Check all that apply)

8

Sales Tax Exemption Mortgage Recording Tax Exemption PILOT Agreement: 2. Location of project: A. Street Address: 1 Newport Plaza, Freeport, New York B. Tax Map: District Section 62 Block D Lot(s) 372 C. Municipal Jurisdiction: i. Town: Hempstead ii. Village: Freeport School District: Freeport iii. D. Acreage: 3.18 3. Project Components (check all appropriate categories): Construction of a new building ☐ Yes [] No A. Square footage: ☐ Yes Renovations of an existing building □ No B. Square footage: Demolition of an existing building C. Square footage: □ Yes No No Land to be cleared or disturbed D. Square footage/acreage: O No Construction of addition to an existing building \( \square\) Yes E. Square footage of addition: i. Total square footage upon completion: ii. Yes Yes Acquisition of an existing building □ No F. Square footage of existing building: 114,000 Yes Installation of machinery and/or Equipment G. List principal items or categories of equipment to be acquired: To what length will the project ensure energy efficiency in the design and operations? H. Existing facility- no alterations to energy use.

4.	<u>C</u> 1	urrent Use at Proposed Location:			
	A.	Does the Applicant currently hold fee title to the proposed location? No			
		i. If no, please list the present owner of the site: AML Realty, LLC			
	D	Present use of the proposed location: Warehouse- mostly empty with			
	D,	4-5 employees (current occupant winding down its business).			
	C.	Is the proposed location currently subject to an IDA transaction (whether through this Agency or another?) □ Yes ☒k No			
		i. If yes, explain:			
	D.	Is there a purchase contract for the site? (if yes, explain):    Yes   No  See attached contract conditioned upon IDA benefits.			
	E.	Is there an existing or proposed lease for the site? (if yes, explain):   Yes No			
5.	Pro	pposed Use:			
	A.	Describe the specific operations of the Applicant or other users to be conducted at the project site:			
		Warehouse distribution of its products.			
	В.	Proposed product lines and market demands: Housewares, kitchen goods, home goods, small appliances - consumer and wholesale demands increasing.			
	C.	If any space is to be leased to third parties, indicate the tenant(s), total square footage of the project to be leased to each tenant, and the proposed use by each tenant:			
		No			
	D.	Need/purpose for project (e.g., why is it necessary, effect on Applicant's business):			

				resent location and meet growth and market demands. The Project capabilities and increase their capacity by approximately 40,000 additional sq. ft.
	E.		portion of the project ly visit the project loca	be used for the making of retail sales to customers who ation? Yes \(\sigma\) No \(\sigma\)
		i.	the sale of retail go	tage of the project location will be utilized in connection with ods and/or services to customers who personally visit the
6.	Pr	oject Worl	<u>ς</u> :	
	Α.	Has cons	truction work on this	project begun? If yes, complete the following:
		i.	Site Clearance:	Yes □ No 🖾 % COMPLETE
		ii.	Foundation:	Yes No S % COMPLETE
		iii.	Footings:	Yes No 10 % COMPLETE
		iv.	Steel:	Yes D No Ø % COMPLETE
		v.	Masonry:	Yes D No D % COMPLETE
		vi.	Other:	70 00111 1111
	В.	What is t	he current zoning?: _	Industrial
	C.	Will the p	project meet zoning re	quirements at the proposed location?
			Yes 🔯	No 🗆
	D.	If a chang request:	AI/A	d, please provide the details/status of the change of zone
	E.	Have site	plans been submitted	to the appropriate planning department? Yes □ No □
7.	Pro	ject Comp	oletion Schedule:	
	A.		ne proposed commenc on/renovation/equipp	ement date for the acquisition and the ing of the project?
		i.	Acquisition: 9/2021	·
		ii.	Construction/Renov	ation/Equipping: 10/2021
]	в.		n accurate estimate of project is expected to	the time schedule to complete the project and when the first occur: 10/2021

## Part IV - Project Costs and Financing

## 1. Project Costs:

Description

A. Give an accurate estimate of cost necessary for the acquisition, construction, renovation, improvement and/or equipping of the project location:

Amount

170041170001		en de la companya de		
Land and/or building acquisition	\$ <u>14,4</u>	180,000.00	10/25	
Building(s) demolition/construction	\$	-0-		
Building renovation	\$	-0-	480	W. w. op. and house to the
Site Work	\$	-0-		
Machinery and Equipment	\$	275,000.00	-TOTAL METALOGICAL ANGERTOS SANS SANS SANS SANS SANS SANS SANS SA	
Legal Fees	\$	50,000.00		e vanet - zazone <del>marki s</del> ik elik elik elik (1884) k
Architectural/Engineering Fees	\$	-0-	- A4704/1000/0000/000/00/00/00/00/00/00/00/00/0	071-10-10-10-10-10-10-10-10-10-10-10-10-10
Financial Charges	\$	55,000.00	WOMEN AND AND AND AND AND AND AND AND AND AN	William Control
Other (Specify)	\$ 1	40,000.00	2231	
Total	\$ 15,0	00.000,000	All Comments and the Co	described and the second of th
2 Mathod of Financian				
2. Method of Financing:		Amount	Term	
A. Tax-exempt bond financing:		\$		years
B. Taxable bond financing:		S		years
C. Conventional Mortgage:		\$ 10,875,000		years
D. SBA (504) or other governmental finan	icing:	\$	TO STATE OF THE PARTY OF THE PA	vears
E. Public Sources (include sum of all		AND AND THE PROPERTY OF THE PR		<i>y</i>
State and federal grants and tax credi	its):	\$		
F. Other loans:	,	Section of the Sectio		years
G. Owner/User equity contribution:		\$ 4,125,000		years
Total Project	Costs	\$ 15,000,000		

i. What percentage of the project costs will be financed from public sector sources?

		-O-
3.	Pro	ject Financing:
	A.	Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? Yes ☒ No ☐
		i. If yes, provide detail on a separate sheet.
	В.	Are costs of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of bond proceeds? Give details:
		No
	C.	Will any of the funds borrowed through the Agency be used to repay or refinance an existing mortgage or outstanding loan? Give details:
		No
	D.	Has the Applicant made any arrangements for the marketing or the purchase of the bond or bonds? If so, indicate with whom:
		75% conventional financing proposed with Flushing Bank.
		Part V - Project Benefits
1.	<u>M</u> c	ortgage Recording Tax Benefit:

## 1.

A. Mortgage Amount for exemption (include sum total of construction/permanent/bridge financing):

<sub>\$</sub>10,875,000.00

81,562.50

## 2. Sales and Use Tax Benefit:

A. Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax (such amount to benefit from the Agency's exemption):

\$_275	,000.00
B. Estimated above):	State and local Sales and Use Tax exemption (product of 8.625% and figure
\$23,	718.75
	oject has a landlord/tenant (owner/user) arrangement, please provide a breakdown nber in "B" above:
i.	Owner: \$0-
ii.	User: \$_23,718.75
3. Real Property	Tax Benefit:
	nd describe if the project will utilize a real property tax exemption benefit other agency's PILOT benefit: None
B. Agency P	ILOT Benefit:
i.	Term of PILOT requested: 10 years with initial reduction in assessment and phase-in
ii.	Upon acceptance of this application, the Agency staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit based or anticipated tax rates and assessed valuation and attached such information to Exhibit A hereto. At such time, the Applicant will certify that it accepts the proposed PILOT schedule and requests such benefit to be granted by the Agency.
** This application v and executed.**	vill not be deemed complete and final until ${\it Exhibit A}$ hereto has been completed
	Part VI – Employment Data
proposed pro (ii) the number	icant's and each users present employment, and estimates of (i) employment at the pject location at the end of year one and year two following project completion and or of residents of the Labor Market Area* ("LMA") that would fill the full-time and at the end of the second year following completion:

	Present	First Year	Second Year	Residents of LMA
Full-Time	0	29**	32**	32**
Part-Time**	0	0	0	0

<sup>\*</sup> The Labor Market Area includes the County/City/Town/Village in which the project is located as well Nassau and Suffolk Counties.

\*\* Agency staff converts Part-Time jobs into FTEs for state reporting purposes by dividing the number of Part-Time jobs by two (2).

#### 2. Salary and Fringe Benefits:

Category of Jobs to be Retained and Created	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Salary Wage Earners	\$37,500.00	and and a second a
Commission Wage Earners		
Hourly Wage Earners		
1099 and Contract Workers		

Note: The Agency reserves the right to visit the facility to confirm that job creation numbers are being met.

## Part VII - Representations, Certifications and Indemnification

- 1. Is the Applicant in any litigation which would have a material adverse effect on the Applicant's financial condition? (if yes, furnish details on a separate sheet)
- 2. Has the Applicant or any of the management of the Applicant, or any of these individuals immediate family members, the anticipated users or any of their affiliates, or any other concern with which such management has been connected, been cited for a violation of federal, state or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or other operating practices? (If yes, furnish details on a separate sheet)
- 3. Is there a likelihood that the Applicant would not proceed with this project without the Agency's assistance? (If yes, please explain why; if no, please explain why the Agency should grant the benefits requested)

		,	ity is not effective.	
Without	a tax r	eduction a	and associated benefits, the	

4. If the Applicant is unable to obtain financial assistance from the Agency for the project, what would be the impact on the Applicant and on the municipality?

Company would leave NYS and result in loss of 25 existing jobs and

4822-2875-1665.2

associated economic benefits from local employment.

5. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

Initial	

6. The Applicant understands and agrees that in accordance with Section 858-b(2) of the General Municipal Law, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the project will be listed with the New York State Department of Labor, Community Services Division and with the administrative entity of the service delivery area created pursuant to the Job Training Partnership Act (PL 97-300) in which the project is located (collectively, the "Referral Agencies"). The Applicant also agrees, that it will, except as otherwise provided by collective bargaining contracts or agreements to which they are parties, first consider for such new employment opportunities persons eligible to participate in federal job training partnership programs who shall be referred by the Referral Agencies

Initial \_\_\_\_

7. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving financial assistance for the proposed project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

Initial \_\_\_\_

8. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

Initial \_\_\_\_

9. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York

General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

Initial \_\_\_\_

10. In accordance with Section 862(1) of the New York General Municipal Law the Applicant understands and agrees that projects which result in the removal of an industrial or manufacturing plant of the project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the project occupant within the State is ineligible for financial assistance from the Agency, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or to discourage the project occupant from removing such other plant or facility to a location outside the State.

Initial \_\_\_\_

11. The Applicant represents and warrants that to the Applicant's knowledge neither it nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become a person or entity with who United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury (including those named on OFAC's Specially Designated and Blocked Persons List or under any statute, executive order including the September 24, 2001, Executive Order Block Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism, or other governmental action and is not and will not assign or otherwise transfer this Agreement to, contract with or otherwise engage in any dealings or transactions or be otherwise associated with such persons or entities.

Initial

12. The Applicant confirms and hereby acknowledges it has received the Agency's fee schedule attached hereto as <u>Schedule A</u> and agrees to pay such fees, together with any expenses incurred by the Agency, including those of Transaction Counsel, with respect to the Facility. The Applicant agrees to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the project.

Initial \_\_\_\_

13. The Applicant confirms and hereby acknowledges it has received the Agency's [Construction Wage] Policy attached hereto as <u>Schedule B</u> and agrees to comply with the same.

Initial \_\_\_\_\_

14. The Applicant hereby agrees to comply with Section 875 of the General Municipal Law. The Company further agrees that the financial assistance granted to the project by the Agency is subject to recapture pursuant to Section 875 of the Act and the Agency's [Recapture and Termination] Policy, attached hereto as Schedule C.

Initial	

#### Part VIII - Submission of Materials

- 1. Financial statements for the last two fiscal years (unless included in the Applicant's annual report).
- 2. Applicant's annual reports (or 10-K's if publicly held) for the two most recent fiscal years.
- 3. Quarterly reports (form 10-Q's) and current reports (form 8-K's) since the most recent annual report, if any.
- 4. In addition, please attach the financial information described in items A, B, and C of any expected guarantor of the proposed bond issue.
- 5. Completed Long Environmental Assessment Form.
- Most recent quarterly filing of NYS Department of Labor Form 45, as well as the most recent fourth quarter filing. Please remove the employee Social Security numbers and note the fulltime equivalency for part-time employees.

(Remainder of Page Intentionally Left Blank)

## Part IX - Certification

Qing Dong	(name	of representative of company sul		n) deposes and
says that he or she is the	President	(title) of Uniware Housew	/are Corp.	the corporation
(company name) named in	the attach	ed application; that he or she has	read the foregoing	application and
knows the contents thereof	f; and that t	he same is true to his or her know	/ledge.	

Deponent further says that s/he is duly authorized to make this certification on behalf of the entity named in the attached Application (the "Applicant") and to bind the Applicant. The grounds of deponent's belief relative to all matters in said Application which are not stated upon his/her personal knowledge are investigations which deponent has caused to be made concerning the subject matter this Application, as well as in formation acquired by deponent in the course of his/her duties in connection with said Applicant and from the books and papers of the Applicant.

As representative of the Applicant, deponent acknowledges and agrees that Applicant shall be and is responsible for all costs incurred by the [Town of Hempstead] Industrial Development Agency (hereinafter referred to as the "Agency") in connection with this Application, the attendant negotiations and all matters relating to the provision of financial assistance to which this Application relates, whether or not ever carried to successful conclusion. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels or neglects the application or if the Applicant is unable to find buyers willing to purchase the total bond issue required, then upon presentation of invoice, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application, up to that date and time, including fees to bond or transaction counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the Agency in accordance with its fee schedule in effect on the date of the foregoing application, and all other appropriate fees, which amounts are payable at closing.

Representative of Applicant

Sworn to me before this 6th

Day of July

EVONNE ARNOLD
Notary Public, State of New York
Registration #01AR4964182
Qualified In Suffolk County

Commission Expires March 26, 20